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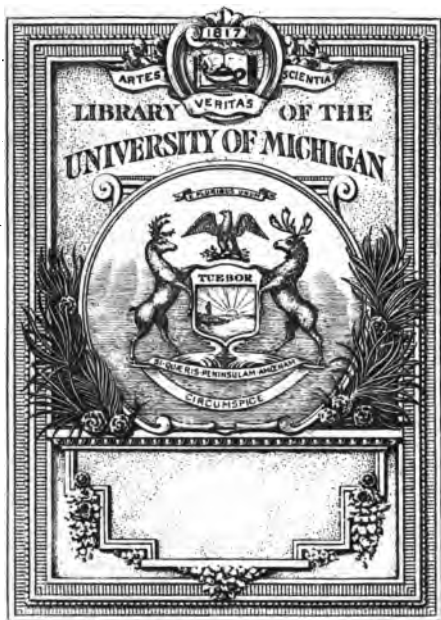
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# SPEECH

OF

*Russell, 1st earl*

LORD JOHN RUSSELL,

IN

THE HOUSE OF COMMONS,

ON DECEMBER 14TH, 1819.

ON MOVING RESOLUTIONS RELATIVE TO

CORRUPT BOROUGHES.

WITH

EXTRACTS FROM THE EVIDENCE

ON THE

**Grampound**

**BRIBERY INDICTMENTS.**

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## SPEECH, &c.

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MR. SPEAKER,

THE House will readily believe, that it is with no common feelings of anxiety that I rise to address them on the present occasion. In private life there is no task more painful, or more invidious, than to tell an individual of his faults; and those who have had occasion to address this House on any question connected with Reform, have found it no less irksome a duty to point out defects, and require amendment, in a numerous assembly. This difficulty, I am aware, has been much increased since last year, when I gave notice of my intentions. It is impossible not to see, that there are two parties dividing the country, both greatly exasperated, and both going to extremes: the one making unlimited demands, and the other meeting them with total and peremptory denial: the one ready to encounter any hazard for unknown benefits, and imaginary rights; the other ready to sacrifice, for present security, those privileges which our ancestors thought cheaply purchased with their blood.

Yet, if I were inclined to maintain, that this moment is peculiarly favourable for entertaining the question of Reform, I might cite an authority much respected in this House; I mean that of Mr. Pitt. On bringing forward, in May 1783, resolutions, two of which are not very different from those which I shall have the honour to propose to the House, he is said to have stated, "that the disastrous consequences of the American war, the immense expenditure of the public money, the consequent heavy burthen of taxes, and the pressure of all the collateral difficulties, produced by the foregoing circum-



stances, gradually disgusted the people, and at last provoked them to 'turn their eyes inward on themselves,' in order to see if there was not something radically wrong at home, that was the cause of all the evils they felt from their misfortunes abroad. Searching for the internal sources of their foreign fatalities, they naturally turned their attention to the constitution under which they lived, and to the practice of it. Upon looking to that House, they found, that by length of time, by the origin and progress of undue influence, and from other causes, the spirit of liberty, and the powers of check and control upon the executive government were greatly lessened and debilitated. Hence clamours sprung up out of doors, and hence, as was perfectly natural in the moment of anxiety, to procure an adequate, and a fit remedy to a practical grievance, a spirit of speculation went forth, and a variety of schemes, founded in visionary and impracticable ideas of Reform, were suddenly produced." This, however, did not deter Mr. Pitt from proposing a plan which he thought calculated to preserve the constitution from decay. Soon after he says, "An Englishman, who should compare the flourishing state of his country some twenty years ago, with the state of humiliation in which he now beholds her, must be convinced that the ruin, which he now deplores, having been brought on by slow degrees and almost imperceptibly, proceeded from something radically wrong in the constitution. Of the existence of a radical error no one seemed to doubt." Now, if we compare that period with the present, though indeed we have no foreign calamities to deplore, might I not urge that our expenditure and our burthens are quadrupled? might I not shew that undue influence is enormously increased? might I not maintain, that we, the successful belligerent, are suffering all the calamities which defeat and disaster could produce?

But, Sir, however great may be the authority of Mr. Pitt, I cannot but feel that circumstances like those which he has described, have at present too much embittered our political parties, to allow me to think the present a favourable moment for a proposal of moderate Reform. On that question, above all others, these extreme parties are in open hostility. The

one would leave the fabrick of the constitution, like the temples of Rome in her last days of empire, when they were found by the Goths covered with cobwebs, and falling to ruin from the neglect of their worshippers. The other party consists of those audacious men, who seek to raise their names from obscurity to fame, by setting a firebrand to this magnificent edifice, the glory of our Ephesus and of the world, which has been a sanctuary even to those who now wish for its destruction. Amidst these conflicting feelings, I know how hard it will be to obtain a hearing for those who wish to clear away the pollutions and impurities of an undue worship, but to preserve the fabrick unimpaired. It may tend to reconcile these parties to my proposition, however, that those who have opposed any general plan of Reform, should reflect that they have always said they were ready to correct a particular defect; and that those who are for the largest plan of Reform, should recollect that Sir Samuel Romilly, a warm Reformer, said, a great object would be gained, if only two or three government boroughs should be destroyed, and that the Duke of Richmond, two years after he brought in his bill for universal suffrage, was the chief promoter of the bill for preventing corruption in the borough of Cricklade.

I will not now presume to enter on the abstract discussion whether uniform suffrage, or variety of suffrage be the best principle of representative government. But thus much I think is clear, that a system founded upon variety of suffrage is the more liable of the two to corruption and decay. If the principle of uniform suffrage be adopted; if, for instance, all persons of 100*l*. a year have a vote, the system, whether good or bad, may continue always the same. But if the principle adopted be that of giving representatives to the largest cities, and richest towns, it is not possible but that cities must lose their importance, and trade transfer its seat. It is for this reason I conceive that the ancient practice of our constitution allowed the greatest facilities for changing the places entitled to send members to Parliament. As towns rose into importance they received a writ from the Crown, requiring their ser-

vices in the great council of the nation : others, which fell into poverty and insignificance, obtained an exemption from this charge; Maldon, in Essex, for example, received a charter allowing the borough no longer to send burgesses to this House, on condition of maintaining a bridge. But there was another mode by which large and important districts received the right of taking part in the deliberations of the State. No one, who has read the speech of Mr. Burke on conciliation with America, can forget his description, as true as it is eloquent, of the manner in which the privilege of having representatives has been conferred at various times by Act of Parliament. Wales, for two hundred years, was vexed by rapine and violence : fifteen penal statutes were passed against that unhappy country : the remedy was at last discovered ;—it was representation: Chester suffered the evils of exclusion from the sympathy and protection of her governors, and Parliament gave representation; Durham a long time after was found to suffer from the same evils, and representation was still the remedy. The case of Haverfordwest offers, perhaps, the most direct precedent for what I shall hereafter move; for eight years after a representation was granted to Wales, a special clause in an act of the 34 & 35 Hen. VIII. extended that privilege to Haverfordwest. In the Chester Act, the preamble is most remarkable, and although before quoted, I cannot refrain from reading it. “ To the King our Sovereign Lord, in most humble wise shown unto Your excellent Majesty, the inhabitants of Your Grace’s county palatine of Chester, That where the said county palatine is and hath been always hitherto exempt, excluded, and separated out and from your High Court of Parliament, to have any knights and burgesses within the said court; by reason whereof the said inhabitants have hitherto sustained manifold disherisons, losses, and damages, as well in their lands, goods, and bodies, as in the good, civil, and politic maintenance of the commonwealth of their said country : and forasmuch as the said inhabitants have always hitherto been bound by the acts and statutes, made and ordained by Your said Highness and your most noble progenitors, by authority of the said Court, as far forth as other counties, cities,

and boroughs have been that have had their knights and burgesses within your said court of Parliament, and yet have had neither knight ne burgess there for the said county palatine; the said inhabitants, for lack thereof, have been oftentimes, touched and grieved with acts and statutes made within the said court as well derogatory unto the most ancient jurisdictions, liberties, and privileges of your said county palatine, as prejudicial unto the common wealth, quietness, rest, and peace of your Grace's most bounden subjects inhabiting within the same," — Now, if any member of this House should say, that to grant representatives to a part of the kingdom which has not hitherto enjoyed that right is a novelty in this country, I will refer him to this Act and show him the principle consecrated in a statute more than three hundred years ago. Or if any one should maintain that those who are not represented suffer no grievance, and require no redress, I will point to the preamble which I have just read, as an authentic and solemn record of the evils which flow from an exclusion from this House.

The wholesome practice of altering and enlarging the basis of representation continued till the end of the reign of Charles the Second. The Durham Act was passed in the twenty-fifth year of that king; and Newark was for the first time summoned by writ during that reign. At the æra of the Revolution, this practice seems to have ceased. A day's proceedings in this House, which I need not detail, show that the great authors of the Revolution seem to have been unwilling to disturb the state of the representation: they probably thought that having cut off one of the three great branches of the government, it would be unsafe to attempt a change in one of the other two, and that any further alteration might shake the frame of the whole constitution. This disposition, which they brought into the practice of administration, seems, at the time of the Union, to have been introduced into the substance of the law. From that period it has been generally considered that the King no longer enjoyed the right of sending writs to unrepresented places, as the proportion between the two countries of England

and Scotland, would by that means be changed. But by this departure, a necessary departure perhaps, from the old custom of England, two great evils have been introduced.

The first is, that small decayed boroughs, finding their suffrages eagerly sought for, have sold their seats to the highest bidder.

The second is, that towns and districts have risen to great importance from their trade, population, and manufactures, and have not been admitted to Parliament.

A third evil, flowing from the two former, has also made itself very sensibly felt; namely, that the House of Commons has been found in various instances not to represent the people.

The first of these evils is too notorious to require that I should dwell upon it. In the instances of Shoreham, Cricklade, and Aylesbury, the abuse has been acknowledged by the House. In that of Aylesbury, as it appears from the evidence, a mark of infamy was affixed to the houses of those voters who were too honest to receive the usual bribe.

Now, it is a mockery to say that, in such a case, the present system "works well." One of the least evils which can happen is, that the managers of the borough apply immediately to the Secretary of the Treasury, who recommends two friends of undoubted solvency and approved steadiness. This is one of the most respectable modes of these boroughs being represented; yet even this secures the votes of the members to Government, and the patronage of the Treasury to the managers of the borough. But, it often happens, that speculators expend the surplus of their wealth, or sometimes their whole fortune, to obtain a return to Parliament. Their object in wishing for the honour of a seat in this House, is often far from being the public good. They have either debts owing them by Government, which they require to be paid, or suspicious accounts which they wish to be settled; they either hope to repair their poverty with office, or to crown their fortune with a coronet. These are the men whom every good administration must dislike; for the necessity of conciliating their favour withdraws the government from that which

ought to be their wish, — the task of gaining the unbought approbation of their country. We are often told that the publication of the debates is a corrective for any defect in the composition of this House. But to these men, such an argument can by no mean apply; the only part they take in the affairs of this House, is to vote in the majority; and it is well known that the names of the majority are scarcely ever published. Such members are unlimited kings, bound by no rule in the exercise of their power, fearing nothing from public censure in the pursuit of selfish objects, not even influenced by the love of praise and historical fame, which affects the most despotic sovereigns; but making laws, voting money, imposing taxes, sanctioning wars, with all the plenitude of power, and all the protection of obscurity; having nothing to deter them but the reproach of conscience, and every thing to tempt the indulgence of avarice and ambition.

The second evil is easily ascertained by looking at the history of those towns, which, during the last century, have grown up into importance. Thus, Manchester, which in 1778 had only 23,000 inhabitants, is now supposed to have 110,000. Leeds had, in 1775, 17,117; in 1811, 62,594. Birmingham had, in 1700, 15,082; in 1811, 85,753. Halifax had, in 1764, 41,000; in 1811, 73,000. Sheffield, in which the first brick house was built in 1696, had, in 1811, 35,840 inhabitants.

Now, Sir, it is very evident that these places suffer a serious inconvenience from the want of representatives. It is said, to be sure, that they are represented by the members for the counties in which they are situated. But those members, however well inclined they may be to do their duty to their constituents, are often of different station and habits of life. They have not the knowledge requisite for stating the grievances and the wants of manufacturers. And when we consider how many questions relating to trade, to the poor-laws, to the laws of combination, and of particular taxes, deeply affect the manufacturers, we cannot but allow the justice of their desire to be represented. Even should their grievances not be re-

dressed, it will be a satisfaction to them to have their direct representatives in this House, who can state their complaints in the face of the ministers and of the nation. Sir, when this argument was pressed in 1782, it was victoriously answered, "Where is the petition from Manchester? Where is the petition from Sheffield?" I am aware that the argument now used will be very different. It will be said that the people of these towns are too clamorous; that we must not give way from fear. In answer to such an argument I would apply to the people the observation made by a right honourable \* gentleman on the depositaries of power; "we must not be too critical in examining their conduct." We must recollect that we are their representatives. But if we should say to them, "Formerly we would grant you nothing because you did not ask; and now we will grant you nothing because you ask too loudly:"—if such should be the language used, this House, instead of being what Mr. Burke says it ought to be, — "the express image of the feelings of the people," will appear to be a hard-hearted and capricious governor.

It has been said by some persons that to give the elective franchise to the large towns, would be to introduce tumults and affrays. Such an argument, one should have thought, was not produced in England, but came from Naples, or from Spain; and indeed it is such as I have often heard from the mouths of the Spanish clergy. But in England experience has taught us that, so far from occasioning bloodshed, elections have tended to give a vent to the political animosities of the place, and after a violent canvass and tumultuous poll, the air has been cleared by the storm, and settled into serenity. Perhaps if there had been elections at Manchester, we should not have had to lament the unfortunate events which we all deplore. Sir, on this subject, I may quote the example of Westminster. It is not a year ago that my honourable friend near me † excited the most outrageous disapprobation, being supposed to be the organ of an odious coalition. But he has no sooner shown himself attentive

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\* Mr. Plunket

† The Hon. George Lamb.

to the interests of this city, and a warm friend to the rights of the subject, than his appearance excites every where good-humour and applause.

We have been very lately told that education, which ought to be a blessing, has been injurious to the population of the manufacturing districts. Sir, the fault is not in education; it is in the time and the circumstances which have accompanied it. Had the people received instruction, when they were rich it would have taught them frugality; had they received political rights at the same time they would have learnt the value of legal liberty. But they have received education when they were sinking into poverty, and they have received it without being admitted to political power; they have eaten of the tree of knowledge, like our first parents, only to be conscious of their nakedness.

I come now to the most difficult part of the subject, namely, the separation which has on some occasions taken place between the opinions of the people, and the declared will of the House of Commons. I am aware of an objection urged by a Right Honourable Gentleman opposite, that those who ask for moderate Reform state the evil as broadly as those who ask for the most extensive Reform. This fault I would endeavour to avoid. I do not wish to create illusion, and therefore I do not pretend to say that Reform would make our government less inclined to war, which, it must be remembered, is the cause of our chief burthens. A fondness for war is not the fault of an oligarchical, but of a popular government. If we look to late events, we shall see that the French war was popular in its commencement; the American war was popular in its commencement. True, these wars would have been sooner discontinued if the voice of the people had been listened to; but then, on the other hand, the long administration of Sir Robert Walpole would hardly have passed in peace with a more popular assembly. If we look farther back in our history, we may observe, that when we speak of our Edwards, and our Henries, we dwell with the greatest delight upon those of our kings who had the greatest disposition for war, and the



greatest opportunities of indulging it. If we look to other countries, we may see, that Venice and Genoa, two popular states, sent their fleets round Italy, for the purpose of meeting in destructive contests. If we look further back, to the great republics of ancient times, we shall see that Athens ruined herself by failing in the subjugation of Sicily, and Rome by succeeding in the conquest of the world. We may, therefore, state that the wars, in which this country has been engaged, would still have been undertaken if the will of the people had been entirely consulted; and this view is confirmed by looking at the large proportion of county members who voted in the great majorities which have sanctioned our two last wars. Indeed, we might almost say, it is impossible that an assembly acting in the face of the people, *vulgi stante coronâ*, should continue, by immense majorities of every class of members, to sanction, year after year, a policy which created immediate and enormous burthens upon the people, entirely against the feelings of that people. Such a system could hardly continue even in the most despotic State; and it is only by carrying the feelings of the people with them, that a free government can lay on greater taxes than an arbitrary king. So firmly persuaded of this truth was Montesquieu, that he has devoted to it a whole book of his immortal work.

But, Sir, there are other questions materially affecting the interests of this country which are not equally decided by a deference for public opinion; amongst them are those questions which regard the expenditure, and are under the eye of this House in its important capacity of guardian of the public purse. In looking at the divisions on this subject, we shall find, that at the periods when those questions were most interesting, and excited the greatest attention, the majorities, instead of being as large as they have been on questions of war, have been singularly small; and on farther examining those majorities we shall find, that, instead of being formed of the fair proportions of county and borough members, they consisted almost entirely of the latter. On the famous motion of Mr. Dunning, in 1780, which was carried by a majority of 18,

there appeared in the majority, consisting of 233, the large proportion of 69 county members; in the minority, consisting of 215, only 11 county members. This question, however, it may be said, was carried; but there was another division, of which I will read an account from a letter of Sir George Savile, which I have seen quoted in another place: "The most uncourtly question we have had this year was, when after having voted the influence of the crown increased, &c., we moved to address the King not to prorogue or dissolve us till we had effectually diminished it: we lost it in the proportion of six to five. In this question, the House being divided into classes, shewed itself in the following proportions: county members, about three to one, the three being on the side of the minority; English borough members, about four to three, the four being on the side of the majority; the members of a certain long county, which sends a great many, eight or nine to one, at the least; Scotch members, nine or eight to one, at the least; Cinque Ports, about four to one." On referring to what took place two years ago, we shall see that questions of a similar nature were then proposed in this House. In the beginning of 1817, there was a great cry for economical reform; in order to meet this cry the Ministers proposed a finance committee. I do not blame them for so doing; for I think that the finances of this country are now so complicated, that they cannot be well examined except in a committee. Upon the composition of this committee, it is evident, depended the question whether our expenditure should be rigorously examined, and honestly corrected, or whether the same system of waste and extravagance should be continued and confirmed. If it was to be composed of independent and impartial men, we might expect the most useful results; if of the followers of ministers we could only look to laboured but flimsy apologies of the existing system of profusion. Sir, the proposal of ministers was, that, besides a great majority of ministerial supporters, five official persons should be members of the committee, in order to see all right. A division took place on the question of substituting the name of a country gentleman

for that of Lord Binning; for Ministers there appeared 178, of whom 15 were county members; on the other side were 136, of whom 27 were county members. The consequence was, as might have been expected, that the reports of the finance committee were totally disregarded by the people. On the 28th of February, the same year, a division took place on the reduction of two junior Lords of the Admiralty; when, of 208 who voted with Government, 16 were county members; of 152 who voted for the reduction, 35 were county members, being more than double. Now, I do not mention these things as proving that county members alone ought to form the House of Commons, but as an index how totally opposite the decisions of this House have been, on some occasions, to those of the people. In support of the same thing I may mention, on the authority of Mr. Fox, that, although the Opposition were the popular party in 1780, yet they gained very few members by the general election. Even the last general election, decided as the voice of the people was, did not take much from the strength of the ministry.

I come now to the resolutions which I shall have the honour to propose: the two first declare, that when a borough is convicted of gross and notorious bribery and corruption, it shall cease to send members to Parliament, and that a great town or county shall enjoy the right it has forfeited. On these heads I have nothing to add. The third declares, "that it is the duty of the House to consider of further means to detect and prevent corruption in the election of members of Parliament." The meaning of this resolution is, that some means ought to be devised to give greater facilities in proving corruption in the elections in the smaller boroughs. Perhaps any person, not a candidate or a voter, ought to be allowed to complain of bribery in an election. The farther meaning of the resolution is, that a body appointed by this House ought to be enabled to decide, that a borough has lost by corruption its right of sending members to Parliament. Some persons think, that this body ought to be a committee appointed under the Grenville act; and some are of opinion, that a second committee

ought to be appointed. It is in order to avoid pledging the House on this subject, that the resolution has been expressed so generally. On this part of the subject, I hope the House will receive the assistance of the member for the county of Montgomery\*, who, besides his learning, has hereditary claims to authority on this question.

The last resolution declares the opinion of the House, that the borough of Grampound ought to be disfranchised. The corruption of that borough was clearly proved before a committee of the whole House in the last session of parliament, and resolutions appear on the Journals to that effect. The question that remains is, whether Grampound ought to be thrown into the hundred. Now, supposing that all the principles I have endeavoured to establish are false, that all the wants of other districts are imaginary, I still think that there is enough in the peculiar situation of the hundred in question to prevent its receiving from parliament the return of the two members which Grampound is unfit to send. The hundred of Powder in which Grampound is situated, is one of the most fertile of the whole kingdom in members of Parliament. It contains Tregony, Truro, Lestwithiel, Fowey, and Grampound, besides three out of five voters of the borough of St. Michael. It will scarcely be contended by any one, I imagine, that the hundred of Powder is not sufficiently represented. Why, then, since Cornwall is in no want of representatives, and the hundred in which Grampound is situated is already overstocked,—why not, I say, transfer the right of sending two members to a populous town? I know but of one objection, namely, the common one, that the innocent will suffer with the guilty. And the only answer I shall give, will be in the words of Dr. Johnson, in an argument he furnished his friend Mr. Boswell on the subject of a Scotch borough: “The objection,” he says, “in which is urged the injustice of making the innocent suffer with the guilty, is an objection not only against society, but against the

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\* Mr. C. Wynne.

possibility of society. All societies, great and small, subsist upon this condition,—that as the individuals derive advantages from union, so they may likewise suffer inconveniences; that as those who do nothing, and sometimes those who do ill, will have the honours and emoluments of general virtue and general prosperity, so those likewise who do nothing, or perhaps do well, must be involved in the consequences of predominant corruption.”

And here, Sir, I might close my case, were it not that a question has been asked by a gentleman, lately a candidate for the city of Exeter, which it is incumbent upon me to answer; and the more so, because I have no doubt that the same feeling has arisen in the breasts of some whom I most deeply love and respect. The question is, why not disfranchise also the unconvicted boroughs? To this I answer, that I do not by any means maintain that the resolutions I now propose comprise all the amendments that can be made in the frame of this House. Whenever a specific proposition is made, I shall be ready to give it all my attention, and if I can approve of it to adopt it. But I do not, at present, I confess, see any rule by which any unconvicted boroughs can be disfranchised without disfranchising the whole. We then arrive at what is called a reform upon a principle, or the reconstruction of the entire House of Commons. Now, Sir, I will not dwell upon the arguments which are generally used to repel such a proposition; arguments resting chiefly upon the advantage of admitting men of talent into this house, by means of the close boroughs; and on the danger that an assembly of popular delegates would overthrow the two other branches of the legislature. But I cannot forget that these arguments have been urged not, as some out of doors endeavour to persuade the people, by boroughmongers anxious to defend their own vile interests, but by some of the greatest, the brightest, and the most virtuous men whom this country ever produced. I cannot say, however, that I give entire credit to these arguments, because I think that, in political speculation, the hazard of error is immense, and the result of the best formed scheme often different

from that which has been anticipated. But for this very reason I cannot agree to the wholesale plans of reform that are laid before us. We have no experience to guide us in the alterations which are proposed, at least none that is encouraging. There is, indeed, the example of Spain. Spain was formerly in the enjoyment of a free constitution; but in the course of the fifteenth century many of the towns fell into the hands of the nobility, who, instead of influencing the elections of members to Cortes (the practice so much reprobated in this House), prevented their sending members at all. The consequence was, that when a struggle took place between the King and Cortes, the aristocracy, feeling no common interest with the representative body, joined the crown, and destroyed for ever the liberties of their country. There is also the example of the present French constitution; but that is of too recent a date, not to say of too precarious a nature to make a rule for us to go by: we must come back then to our laws. The constitution of this country is not written down like that of some of our neighbours. I know not where to look for it, except in the division into King, Lords, and Commons, and in the composition of this House, which has long been the supreme body in the state. The composition of this House by representatives of counties, cities, and boroughs, I take to be an intimate part of our constitution. The House was so formed when they passed this habeas corpus act, a law which, together with other wise laws, Mr. Cobbett himself desires to preserve, although with strange inconsistency, whilst he cherishes the fruit, he would cut down the tree. This House was constituted on the same principle of counties, cities, and boroughs, when Montesquieu pronounced it to be the most perfect in the world. Old Sarum existed when Somers and the great men of the Revolution established our government. Rutland sent as many members as Yorkshire when Hampden lost his life in defence of the constitution. Are we then to conclude that Montesquieu praised a corrupt oligarchy? that Somers and the great men of that day expelled a king in order to set up a many-headed

tyranny? that Hampden sacrificed his life for the interests of a boroughmongering faction? No! The principles of the construction of this House are pure and worthy. If we should endeavour to change them altogether, we should commit the folly of the servant in the story of Aladdin, who is deceived by the cry of "New lamps for old." Our lamp is covered with dirt and rubbish; but it has a magical power. It has raised up a smiling land, not bestrode with overgrown palaces, but covered with thickset dwellings, every one of which holds a freeman enjoying equal privileges and equal protection with the proudest subject in the land. It has called into life all the busy creations of commercial prosperity. Nor, when men were wanting to illustrate and defend their country, have such men been deficient. When the fate of the nation depended upon the line of policy she should adopt, there were orators of the highest degree, placing in the strongest light the arguments for peace and war. When we were engaged in war, we had warriors ready to gain us laurels in the field, or to wield our thunders on the sea. When, again, we returned to peace, the questions of internal policy, of education of the poor, and of criminal law, found men ready to devote the most splendid abilities to the welfare of the most indigent class of the community! And, Sir, shall we change an instrument which has produced effects so wonderful, for a burnished and tinsel article of modern manufacture? No! small as the remaining treasure of the constitution is, I cannot consent to throw it into the wheel for the chance of obtaining a prize in the lottery of constitutions.

There is yet another person who resembles Nestor in nothing but his age, who tells us that the people have a right to Universal Suffrage which is derived directly from heaven. No one is more inclined to allow the most extensive rights to the people than I am. I allow that they have a right, if they will, to overthrow their government; that they have a right, if they will, to exercise the sovereignty collectively. But representation is the invention of society, and I cannot allow that the people have any natural right to meet in their parishes and

choose members of Parliament by putting white and black beans into a box.

Sir, I have but one word more. It is to entreat the government, whether they accept of these resolutions or not, to adopt some measure tending to conciliate the people. The history of all free states, and particularly of that one on which Machiavel has thrown the light of his genius, demonstrates that they have a progress to perfection, and a progress to decay. In the former of these, we may observe, that the basis of the government is gradually more and more enlarged, and a larger portion of the people are admitted to a share of the power. In the latter, the people, or some class of the people, make requests which are refused, and two parties are created, both equally extravagant, and equally incensed. In this state, when the party which supports the government loses all love and respect for liberty, and the party which espouses liberty, loses all attachment and reverence for the government, the constitution is near its end. Without any common attraction to the established laws of their country, each is ready to call in force to subdue the other; and it is in the power of an ambitious king, an ambitious general, or an ambitious demagogue, to extinguish the liberties of his country, as easily as these lights above our heads will be put out after the debate!

I now beg leave to move the following resolutions:—

1. THAT it is expedient that all boroughs, in which gross and notorious bribery and corruption shall be proved to prevail, should cease to return members to serve in Parliament; provision being made to allow such of the electors as shall not have been proved guilty of the said offence, to give votes at any election to be held for the county in which such boroughs shall be respectively situated.

2. That it is expedient that the right of returning members to serve in Parliament, so taken from any borough which shall have been proved to have been guilty of bribery and corruption, should be given to some great towns, the population



of which shall not be less than 15,000 souls; or to some of the largest counties.

3. That it is the duty of this House to consider of further means to detect and prevent corruption in the election of members of parliament.

4. That it is expedient that the borough of Grampound, in which gross and notorious corruption has been proved to prevail, do cease to send members to this House.

[These resolutions were afterwards withdrawn with the consent of the House.]

## APPENDIX.

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*There were presented to the House of Commons Extracts from the Indictments upon which Sir Manasseh Masseh Lopes and twenty-three Electors of Grampound were found guilty of Bribery. The following are Extracts from the Evidence taken in a Committee of the whole House.*

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Mr. *Alexander Lambe*, called in; and Examined.

WERE you employed at the late election for the borough of Grampound? — I was, for one of the candidates.

For which of the candidates? — For Mr. Teed.

Did you, at that election, produce a list of voters who were said to have received bribes? — Mr. Teed himself did; I saw it produced; I saw it in his possession; I never had it in my own possession.

Have you got that list in your possession now? — No, I never had it.

Do you know where it is? — I believe it to be in Mr. Teed's possession; I never saw it out of his possession.

Did you object to the vote of a person of the name of Thomas Devonshire, on account of his being in that list? — I believe I did: but without the copy of the poll-book before me, I cannot speak with confidence.

Was the bribery oath put to the voters to whom you objected? — Mr. Teed, I think, required that the bribery oath should be administered to Devonshire.

Was it so administered? — It never was; the oath was begun to be administered to him, but before it was concluded, Mr. Teed withdrew the demand.

Did any thing happen to induce him to withdraw it? — I cannot say what were his motives for withdrawing it; a good deal of confusion arose in consequence of the demand being made, and several applications were made from different gentlemen

present, requesting that he would withdraw it, conceiving that it would answer no purpose.

What reasons were given by those gentlemen for requesting him to withdraw it? — They stated their belief that the man would persevere in taking the oath, when they had, I believe, a conviction upon their own minds that it would have been perjury if he had so done.

Did any one of the candidates state that to Mr. Teed? — I think Mr. Shaw.

Mr. Teed, upon that, withdrew his demand? — He did.

Did any other person afterwards require that the bribery oath should be put? — William Allen, one of the electors, afterwards proposed himself as a candidate; and then at a subsequent period, demanded the bribery oath from another of the electors.

State what passed upon that, and why the bribery oath was not then tendered? — A good deal of confusion followed; and after considerable discussion, whether Mr. Allen was such a candidate as would entitle him to make the demand, the mayor adjourned the poll.

You have stated that Mr. Teed desired the bribery oath might be administered to Devonshire, and that considerable confusion arose; from whom did that confusion arise? — Amongst the people that were in the exterior part of the hall, and amongst the persons that were attending as agents, and other persons attending to the business of the poll; I do not remember any particular persons.

What objection was made by the voters? — The objection made was, that they thought it improper to make the demand, they did not like that the bribery oath should be tendered, and they made use of threats in the event of the bribery oath being persisted in; I do not remember any particular expression, or from what particular quarter it came.

What threats did they make use of, and against whom? — I believe some of them extended to myself, as the agent of Mr. Teed, and they threatened me with, I believe, pelting me, or something of that kind, as an agent of Mr. Teed, in the event of the bribery oath being persisted in.

Were you present at any time when any of the electors were reproached with having received bribes? — I was present when three or four, I cannot speak with confidence of the number (not having my memorandums), admitted that they had received money from Sir Masseh Lopes or his agent, but my knowledge extends no farther than that.

Did you represent at the election that you were acquainted with the fact of a sum of money having been distributed among them some time before, with a view to influence their votes? — I did.

What did you allude to in that statement? — I did not state it as a fact; I knew myself, but merely professionally, that I was so instructed, and I stated the circumstances as they had been detailed to me, of their having had a sum of money distributed amongst them, which I was instructed I had evidence then ready to prove, and I offered to the returning-officer to go into that evidence.

Had you evidence there to prove those facts? — I believe I had.

*Mr. John Edwards*, called in; and Examined.

Were you present at the last election for the borough of Grampound? — I was.

State what passed there when you came into the borough? — I must beg leave to refer to some notes I took at the time.

In what character did you appear at the election? — In the character, certainly, of a solicitor; but it is difficult for me to state for whom I did appear; there were several gentlemen proposed as candidates, and I was desired to attend at Grampound for the purpose of supporting the nomination of one of them. When I arrived at the borough, I found that it was not the wish of some of the corporation to support that individual, and that they had promised another candidate; so that I was at a loss in what character to consider myself as being there, but I nevertheless determined to attend the poll, which I did.

You had no interest in the election, whichever candidate carried it? — I had no interest, certainly.

Proceed to state what happened when you came into the borough? — On the Tuesday before the dissolution of parliament, I happened to be passing through Grampound, not on any business relating to the election; on the bridge, I met with one of the electors; a dissolution of parliament being expected, I asked him how matters went on in Grampound; he told me that a considerable majority of the electors had, he believed, made up their minds for two candidates, whose names he did not mention. I told him, I understood that a gentleman, who had sat for the borough, intended to come down, and probably get the bribery oath demanded or administered. He said, he did not know how that could be; for that no two electors would demand the oath. I said, I supposed he might himself start as a candidate. He supposed that no candidate had a right to demand the bribery oath, but that it must be demanded by two electors. I set him right in that respect; I said, I supposed there could be no difficulty in taking the bribery oath; on which, he shook his head, and said, he

believed there would be a great deal. I asked him how many he supposed might safely take the bribery oath; he hesitated and smiled; I asked whether more than three or four; he supposed very few more than three or four could safely take the bribery oath. Whilst we were conversing, one of the aldermen joined us, and presently another of the aldermen. I told them, shortly, what had passed, and stated to them what the freeman, for the first elector I had conversed with was one of the free burgesses or freemen, had said. I stated to the two what had passed, and they concurred in what had been said to me by the free burgess. I told them I could pretty well guess who the three or four were, but I did not mention their names; that was all that passed on that day. On the 22d of June I attended the election.

State the names of those three or four you refer to? — I did not state to those persons the names of the three or four; is it wished that I should state them to the Committee?

The witness was directed to answer the question.

I certainly did mean a capital burgess of the name of John Croggon, a free burgess of the name of Thomas Ceccomb, another of the name of Thomas Ceccomb the younger, one of the name of Richard Body; about the other I had some doubts.

Do you mean that those were the only persons who, in your opinion, did not take bribes? — The persons whom I mention are four, who in my opinion would not take bribes, if offered previously to the election.

Did you ask either of those aldermen with whom you were conversing, whether they would take the bribery oath? — I do not remember that I asked it in direct terms; I certainly did insinuate, that probably they would not, and they did not deny it; they seemed to understand what I meant, and certainly did not assert the contrary, or appear to assert the contrary.

Proceed to state what occurred previously to the election? — On the 22d of June, four electors having polled, one Thomas Devonshire offered himself to vote, he was a free burgess; on this, Mr. Lambe, I think his name is Alexander Lambe, got up; I should state, that he appeared to attend as the solicitor of Mr. John Teed; he got up and stated that a most respectable gentleman in an adjoining county, had interfered to influence the voters by distributing money; that Devonshire the elector, was one who had received the money; Mr. Lambe stated, that he was prepared to lay before the mayor the history of this transaction; that he had been indebted to an elector in the borough, in the interest of Mr. Innes, for that history. I should state that Mr. Innes was one of the candidates at that election; that he was furnished with a list of

names and sums; my note says, that the mayor then said, "dreadful — abominable!" that he had delivered the list so given to him, to the gentleman whom he stated to live in an adjoining county; he called him a baronet, who candidly avowed the list to be accurate and correct, except that money enough was not stated in such list to have been paid. Mr. Lambe further stated, that he himself had gone round and ascertained from some of the parties, that they had received some of the money so stated, he then proceeded to argue, that such persons were disqualified, and that the mayor could not legally take their votes; that the present voter told him, Mr. Lambe, that he would either vote for Sir Masseh Lopes, or return the money; on this there was a great deal of hissing, which came from the electors who were below the bar, where the free burgesses assemble at the election; a great deal of discussion ensued with respect to the power of the mayor to reject persons on account of bribery, stated to have been committed at the election; several professional men were there, and having been referred to by the mayor, I gave it as my opinion, that the mayor was incompetent to reject voters on that account, or rather that it would be indiscreet in him, inasmuch as the question of bribery is very often complicated; I stated that as a reason that the question of bribery was very often complicated, and that he had no power to swear witnesses, and therefore I advised him not to disqualify so great a number on testimony not examined on oath; he determined not to reject those persons, Devonshire was therefore permitted to vote, but Mr. Teed demanded that the bribery oath should be administered: this created a very great ferment. I should now state that that was the very person whom I had met on the bridge on the Tuesday previous to the dissolution of parliament; I took the liberty of cautioning him; I said to him, "for God's sake, Devonshire, what are you about, recollect what passed," and he seemed exceedingly struck; he took the book in his hand, but certainly could not proceed, nor did he; Mr. Teed persisting in his objection, he was addressed by several gentlemen; amongst the rest, by Mr. Shaw, who was a candidate, who represented to him that the demand of the bribery oath ought not to have been made by him, for he must be conscious that the electors had been reduced into the situation in which they then were, partly through his means; he at length was induced to withdraw the demand of the bribery oath.

What do you understand Mr. Shaw to have meant by that assertion, that they had been brought into that state by Mr. Teed's means? — I meant into such a state as that they could not conscientiously take the bribery oath, by means, of which

I have no knowledge, at which I can only guess; but it should seem that that was the natural conclusion of the appeal made to Mr. Teed by Mr. Shaw; the bribery oath was withdrawn, and I think Mr. Devonshire polled, and nine others, when a person of the name of William Allen, a free burgess, stepped forward and proposed himself as a candidate, and called upon the mayor to administer the bribery oath to all who tendered themselves; he was immediately called upon by two of the electors for his qualification, he said he should not then swear to his qualification, but he would take care to do it before he took his seat in the House, and he persisted in his demand of the bribery oath. I do not exactly recollect at what hour of the day this happened, or how long after the commencement of the poll, but a stop was put to all further proceedings; a very great ferment there certainly was again amongst the electors; I took the liberty of asking them how it happened, that when the bribery oath had been waved or withdrawn they were so ready to come to the poll, and that when the bribery oath was re-demanded they drew back; I told them I did not wait for their answer, I could exactly tell how it happened, why it had happened, that I had cautioned them repeatedly that it would happen, and that now they saw themselves the consequences of their conduct. The mayor was in a great difficulty; he was himself personally told by one of the electors, "Mr. Mayor, how can you possibly administer this oath, you know yourself you are as bad as any of us." With a view of getting the parties out of this difficulty, I told the mayor that this being the first day of the poll, he was under no obligation to continue the poll open for any limited number of hours, and that probably the better way would be to adjourn the poll, if he did it immediately, that is to say within a few minutes.

What is the name of the mayor? — David Vercoe.

What is his profession or trade? — A tailor.

Who was the elector who told him he was as bad as any of them? — His name was John Brown; the poll was adjourned to eight o'clock on the following day. On the opening when the parties assembled, Allen appeared again, and demanded the bribery oath to be administered to all who should offer themselves to poll; considerable argument ensued; it was stated by some gentlemen that the bribery oath ought to be demanded of each elector as he offered himself to the poll-clerk, and that a demand against all who should tender themselves was not valid, and therefore they demanded that a person called Robert Ford, a carpenter, should be permitted to poll; the mayor however determined that the demand was sufficient, and that Robert Ford, previously to his being per-

mitted to poll, should take the oath, he however withdrew without saying any thing upon the subject; not long afterwards I was obliged to quit Grampound for the purpose of attending an election elsewhere; upon my return in about two hours and a half, I found that the poll was closed.

You made some allusion to what had taken place before that; you had often advised the electors on the subject; what was that you alluded to?—I never advised the electors at their previous election, but when meeting with them, sometimes singly and sometimes in greater numbers. I have often told them of the situation into which they were likely to bring themselves, by the practices that I could not but suspect that they had been guilty of, and that were notorious through the country.

Did you mention to them when you saw them, what the practices were to which you referred?—Yes.

Mention those practices to which you then referred?—I not only alluded, but stated to them, that the practice they were in of receiving and demanding money for their votes as electors of Grampound, would reduce them into the situation in which they were.

When you stated that, did any of them make any objection to the fact?—Not to the fact; they excused themselves and others, on account of their poverty, and that the men, as they called them, considered it as a privilege.

Did you allude in that to what had been done in former elections, or what you expected to be done at the last election?—My allusion was partly to what had been done at former elections, and I certainly did draw from that a conclusion, that they would be guilty of the same at the next election, and that those consequences I anticipated would most probably follow, indeed I stated at the time, that I believed that probably would be the last time that they would appear there in the character in which they did appear.

How came those practices you allude to, to be notorious?—From very many of them repeatedly asking of me money for their votes; when I say my knowledge, it did not arise either from my having given or promised, for I never did one or the other.

When you have been canvassing on behalf of any gentleman for the borough of Grampound, on former occasions, have you found the electors ask for money for their votes?—Certainly, many of them.

Has that taken place on several elections, or only one?—At two; I am clear of two.

How many voters, according to your knowledge, are there at Grampound?—The borough consists of a mayor and eight



capital burgesses or aldermen, and an uncertain number of free burgesses or freemen; all of them are entitled to vote as free burgesses: at the time of the last election there were eight capital burgesses, including the mayor, who were entitled to vote, the ninth being a custom-house officer; there were also fifty-one free burgesses entitled to vote; fifty-four of the corporation, and the free burgesses did vote.

According to your recollection, what number do you think of the whole fifty-nine or sixty have, at different times, when you have been canvassing, asked money for their votes? — I cannot state with any degree of certainty.

Do you believe the majority? — I cannot say that a majority in canvassing have asked money, or that very many have asked money; but from what passed, I could not but entertain a conviction, that money must be either given or promised before they would give me their votes.

From what passed between you and them, you state that you have reason to believe that they would have accepted money for their votes; does that apply to the majority? — I have no doubt it does apply to the majority.

Did you ever know of any of the burgesses who wished to stipulate for the rest to receive money, and make an agreement with the rest? — I was so much in the habit of discountenancing any application of that sort, that I do not remember more than one instance of a stipulation having been proposed by one of the aldermen; one such stipulation was proposed to me, certainly, previously to the last election.

Was it one of the burgesses resident in Grampound? — It was one of the burgesses resident in Grampound.

State the particulars of his proposal? — He proposed that the sum of 8000*l.* should be forthcoming within a limited time after the election, for the purpose of being divided amongst the majority of the electors, whom he told me he could command.

What was the name of that burgess that made you the proposal about the 8000*l.*? — I would beg to submit whether I ought to answer that question.

The witness was directed to answer the question.

Timothy Symons.

Is he at present mayor of Grampound? — He is; when I say he is, I was not at his election, nor have I looked at the corporation books; but I have no doubt about the fact.

Has any specific sum of money been known as the usual price of a vote at Grampound? — I believe the rule at Grampound, if there is a rule, is to get as much as they can.

Devonshire polled without taking the bribery oath? — Yes, he was permitted.

Did you see any thing happen to Mr. Allen, in consequence of his demand of the bribery oath?—After he had demanded the bribery oath, he withdrew from the hustings from the town-hall for some purpose; there was soon afterwards a report brought to the mayor that he had been knocked down, that he had been assaulted by several people in the street; the mayor dispatched a constable, and soon afterwards Allen returned into the hall; he appeared to have been exceedingly ill-treated, and bled very much; he appeared to have been otherwise beaten; his clothes were much torn and dirtied.

The mayor and the capital burgesses have it in their power to add to the number of electors, if they think proper so to do?—Not exactly so; this is a borough by prescription; there are two courts-leet holden, the one within a month of Michaelmas, the other within a month of Easter; the mayor names two elizors, and the two elizors choose the jury; the jury is composed of one alderman, or two aldermen, and the rest of the jury must be composed, according to the constitution of the borough, of free burgesses; those free burgesses agree upon presentments, and amongst the rest, if they think fit, they present inhabitants to be free burgesses, or freemen; who have then a right to call upon the mayor to swear them.

Supposing the bribery oath to be rightly demanded and tendered to all the electors, what effect would that have had upon the election for Grampound?—The electors at Grampound conceive themselves generally, I think, to be conscientious men, they are religious men very many of them; therefore I think they would not take the bribery oath.

Do you know any custom existing in Grampound respecting the mayor for the time being?—I have heard that the mayor has what is called a privilege beyond the others, but I do not know it of my own knowledge.

What have you heard the privilege of the mayor is?—I cannot state precisely; I think I have heard thirty or forty pounds a year, or somewhere thereabouts; not more than forty.

Is it the idea that that money is paid him for his kitchen?—It goes under that name I understand.

Did you ever see a list of the names of the electors, with the sums that were paid to them at the former election?—I saw a list of electors, not constituting I believe the whole, nor any thing like a majority, a selection of electors, with sums stated opposite their names as paid to them.

Do you recollect somewhere about the sum stated to be paid to each?—I do not.

Was it somewhere about twenty-five pounds?—I never saw such a list; the list to which I allude, contained sums very much larger, 200*l.* 100*l.* and so on.

Was that a list relating to the late or a former election? — Relating to an election in 1808.

Was it stated to you that those sums had been paid to those electors at that election? — It was so stated.

Did you hear that they had raised the price at this last election, that they were going to turn him out? — The person to whom I allude, was expelled this House, he did not appear at the last election.

Who was that person? — The honourable Andrew Cochrane Johnstone.

Had the price been raised last election; there is generally a market price understood, is there not? — I never heard of any thing like a market price; but the sum that has been named to me as having been given to the free burgesses, exceeded any thing I had ever heard of before.

What might that be? — I heard, but that I had no means of knowing; but from common report it was 150*l*.

Was Mr. Cochrane Johnstone returned for Grampound in 1808? — He was; I beg pardon, I mean in 1806 and 1807, I think he was returned in both.

Was he petitioned against? — He was petitioned against at his first election, it was declared a void election, on account of his want of qualification; he was then returned again a second time, he was petitioned against again, on the charge of want of qualification and bribery.

Did you hear from Mr. Johnstone at the time, that if they proceeded against him, he would disfranchise the borough; that it was in his power? — Yes, certainly, he stated that that was in his power.

*Mr. William Hore*, called in; and Examined.

Is your name William Hore? — Yes.

Are you an alderman of the borough of Grampound? — I am.

Were you a witness on a trial at the late assizes for the county of Cornwall, against some freemen who were indicted for bribery? — I was.

Did you give evidence there of some communications you had with Sir Manasseh Lopes? — I did.

Be so good as to state what those communications were? — I stated, as well as I recollect, that Sir Masseh Lopes had called at my house; I only stated then once, but he had called twice at my house before I knew Sir Masseh Lopes; after that I was going to London, and in my way to London I called at Windsor's hotel, in Plymouth, where I had a letter of introduction to Sir Masseh Lopes in London. I had some convers-

ation with Sir Masseh Lopes in London respecting an opening; he asked my business in calling upon him, and I told him I was informed he had called twice at my house; I had not the pleasure of knowing Sir Masseh Lopes, till I had a letter of introduction from Sir John Perring to Sir Masseh Lopes. After I had had some conversation with Sir Masseh Lopes respecting the borough of Grampound, I told him there was an opening there in the way of our conversation, and he asked of me whether there was an opportunity that he should come down; I told him that there was an opening, but it would be requisite, I thought, to relieve the difficulties of the men there, that 2000*l.* should be advanced; he said then, that I should go home and consult along with the freemen and magistrates, and let him know; which I did; and after I had written for him, he desired me then to come to Plymouth; I did go to Plymouth, and then some time after he sent Mr. Hunt, his attorney, to Grampound; when he came there, I saw Mr. Hunt, and he informed me that he was provided with what had been requested; but not finding a sufficient number there, a majority there, he went away again to the westward, I believe to Penzance: the conversation that passed between Mr. Hunt and me, was, that he saw the number that was there, and that it was for his consideration whether he chose to lend the money that was requested or not; but as he found there was not a majority there, he went away again, and did not advance anything. I think about a week or ten days after this, some of the other freemen sent to Mr. Hunt to come again: I informed them I would not have anything more to do with it; that if they did not choose to meet Mr. Hunt at the time he came, it was for them to do as they thought proper; they said they would have Mr. Hunt back again; and I think there are some letters in Mr. Lamb's possession will state what I have been saying: some of the freemen did write to Mr. Hunt, and he came again; what Mr. Hunt lent I cannot pretend to say; I only saw a number of freemen there, to the amount I suppose of about thirty-five or forty, but what he lent I cannot pretend to say. After this had been lent, and when it came on nearly to the election, Mr. Lamb, with Mr. Teed and Mr. Teed's son, came to Grampound, and they then informed Mr. William Symonds, and Mr. Croggon, and Mr. Vereoe, that it was in his power to bring bills of indictment against a number, I do not know that the number was mentioned, but a sufficient number; that himself and another gentleman should have a sufficient majority in their favour, so as to seat Mr. Teed; then the magistrates said, if that was the case they thought Mr. Teed would be doing right in bringing those bills of indictment; Mr. Teed did bring those bills of indictment, I think

against thirty-five or forty; I am not certain as to the number, I think forty or above, and some were tried at Exeter, and some were tried at Launceston, and were found guilty.

State what passed between Mr. Hunt and you, when he was at Grampound? — I saw Mr. Hunt in the dining-room, and he informed me he was provided with the loan which was requested, and the sum that was asked to be borrowed by each freeman, was fifty pounds; but deducting certain expenses of stamps and travelling expenses, Mr. Hunt said it would amount only to thirty-five pounds, and I was led to understand that that thirty-five pounds was lent.

How were you led to understand that that thirty-five pounds was lent? — When I came down below stairs, I saw them in different parts of the house, and they appeared to be very much dissatisfied that it was only thirty-five pounds.

Do you mean to say, that where a candidate for Grampound lends money, that money is lent with an expectation of repayment? — No, I do not think that it is with that expectation; when it is borrowed of a candidate, it is not borrowed with an expectation of being repaid again.

Then you think it amounts to a gift of money? — It may be called in that way.

You considered yourself authorized by the electors of Grampound to wait upon Sir Masseh Lopes? — Yes.

Did you hold any particular situation at that time? — I was the chief officer at that time.

You were the mayor? — I was.

Did you make any particular proposition, on the part of the electors, to Sir Masseh Lopes at that time? — No; I only stated to him that there was an opening there, and that the distresses of the people were such, through law-suits and other things, that they wanted to borrow a sum of money.

What sum of money did you mention to him? — I mentioned 2000l.

Did Sir Masseh Lopes ask you as to the number of persons among whom that 2000l. was to be divided? — I think he did.

Did he ask you the number of electors there were in the borough of Grampound? — I am not certain whether he inquired particularly about the number of the electors at that time, because he referred me to Mr. Hunt, and that I was to go home and consult along with the magistrates and the freemen, and then to see him again.

In consequence of that, did you return to the borough of Grampound? — I did.

Did you hold consultations with the aldermen and freemen of Grampound upon that subject? — Yes.

In consequence of what had passed, did Mr. Hunt visit Grampound? — He did.

Did he inquire into the number of the electors, and the number of those likely to take part of the 2000*l.*? — He was informed, before he came there, that there were forty in number that would join him.

Did you give him a list of the names of those forty? — I am not certain whether I did or not; but I think it is very probable I did.

Is it not a prevailing custom in Grampound, when money is paid back, that is received by way of loan or otherwise, that it is paid out of the money received at the time of the election? — I do not know.

Did you ever know it repaid back out of their own money? — No, I cannot say that I have.

Do you know the sum each elector received at the last election, for his vote? — No, I will not pretend to say; I do not know.

Is it not the general talk at Grampound, that 150*l.* was the sum generally given at Grampound, at the last election? — I have heard such a talk.

You were understood to say, you had borrowed money of Mr. Hunt; did you give a note of hand for it? — I did.

Are you aware that you are liable to have that money recovered by action upon that note of hand; do you consider that you are in that situation? — No, I consider not.

Do not the electors of Grampound consider the sale of their vote at an election, the great privilege they possess in returning members to parliament? — I believe they generally anticipate there the same as they do in other neighbouring boroughs, to receive some remuneration either before or after.

What would be the consequence, in your opinion, supposing the bribery oath to have been administered to all the voters at Grampound, at the last election; do you think that they would have received the money we have been talking about, and taken the bribery oath also? — No, I do not think they would.

What reason have you for thinking so? — I do not think they are so far degraded in human society.

Were there any threats used by individuals towards the returning officer, if he dared to put the bribery oath? — There was a young man that I was acquainted with, who proposed himself as a candidate, and proposed the bribery oath; and in consequence of the uproar in the hall the first day, the mayor adjourned it to the next day; and when this young man came into the town the next day, they treated him very ill indeed.

In what respect? — They knocked him down and kicked him on the ground; I was writing a letter, and heard them

crying out in the street, "shame;" and I went out to see what it was, and I saw them using some person very ill, and went to his assistance; and I ordered two constables to assist in taking him away, and one of them, who was using him ill; I said to the constable, he ought to take them into custody, and he came forth, and I thought he would knock me down.

Was that person an elector? — Yes.

You have stated, that in your opinion some of the electors could have honestly taken the bribery oath; what number of the electors do you think could have taken the bribery oath with propriety? — With propriety, I should think eight or ten might have taken the oath.

*John Teed*, Esquire, called in; and Examined.

Were you present at the last election for Grampound? — I was.

In what capacity did you appear there? — As a candidate.

Did you direct Mr. Alexander Lamb to object to any of the voters? — I did.

On what ground did you object to those voters? — On the presumption that most of them had been bribed.

On what did you ground that presumption? — From various conversations I had had with themselves, and from some conversation I had had with the principal in the transaction.

Had you any list in your possession? — I had.

What did that list contain? — It contained the names of the whole of the voters, together with sums of money against some of their names, that I considered had been lent as a bribe, to influence their vote at the last election.

Have you that list with you? — I have.

The witness produced the same.

The same was delivered in, and read, as follows:

1. Mr. Moore		21. Edward Penter, 6	-	35
2. Mr. Dollon		22. George Watts, 7	-	35
3. Mr. William Symons		23. Samuel Croggon, 8	-	35
4. Mr. John Croggon		24. John Brown, sen. 9	-	140
5. Mr. George Hoyte, 1	-	25. John Brown, jun.	-	35
6. Mr. David Varcoe	-	26. Francis Brown, sen. 10	-	35
7. Mr. William Hore, 150, 3	506	27. Thomas Seccombe, sen.		
8. Mr. T. Symons		28. Thomas Ham, sen.	-	35
9. Mr. John Symons		29. Thomas Ham, jun.	-	55
10. Charles Burley, 4	-	30. John Seccombe		
11. Thos. Coodo, 2	-	31. Thomas Kneebone	-	35
12. Thos. Devonsher, 3	-	32. Wm. Teuage, 11	-	35
13. Joseph Osborn	-	33. John Crows		
14. John Hore	-	34. Robert Forde	-	35
15. Edward Hore	-	35. Thomas Croggon Tanner		
16. John Hockins Potter	-	36. Phill. Luke, 19	-	35
17. Joseph Varcoe, 4	-	37. Edward Luke, jun.		
18. Joseph Devonsher, dead	35	38. James Brown, 13	-	35
19. Isaac Watts, 5	-	39. James Bilkey,	-	35
20. Wm. Smyth		40. Till Baker Johns, 14	-	35

41. Edward Luke, sen. 15	35	60. Thos. Watts, 28, <i>I. T.</i>	35
42. Wm. Croggon, <i>I. T.</i>	35	61. Thos. Croggon, 29	40
43. Wm. Goyen	35	62. Wm. Restarick	35
44. Bar. Richards	35		62
45. Robert Cooke, 16	35	7 Added	7
46. John Cooke			69
47. Thos. Courtice, 17	35	Absent	1
48. Wm. Courtice, 18	35	Pauper	1
49. Thos. Seccombe		Revenue	2
50. Richard Ham, 19	35		4
51. David Nancarow	35		58
52. Wm. Nancarow, 20	35	1 Dead	
53. Richard Boddey		2 In Prison	
54. Wm. Allen, 21	35	1 Pauper	69 in all.
55. John Ham, 22	35	2 Absent	24 convicted.
56. James Cowl, 23	35		
57. Francis Brown, jun. 24	35	6	56
58. Wm. Varcoe	35		45 remains.
59. Matthias Watts	35		

From whom did you receive that list? — One of the electors, named Isaac Watts.

What did he tell you concerning it? — When he delivered me the list, he gave it me as a list of the names of the electors, and afterwards sat down with me, and told me the particular sums that each had received.

From whom? — From Sir Masseh Lopes and his agent, I believe.

Did you speak to any other of the electors upon the subject of that list? — I spoke to a number of them and showed them the list.

Did they admit they had received the money? — A great many of them did, whom I have indicted, and who have been found guilty.

Did you speak to Sir Manasseh Lopes upon the subject of the list? — I did.

State the circumstances of your interview with Sir Manasseh Lopes?

The witness was directed to withdraw.

The witness was again called in, and the question proposed.

I called on Sir Masseh Lopes in the early part of June, 1818, and spoke to him respecting the state of the borough of Grampound, and informed him that I was in possession of what had been done there, and showed him the list.

What did he say with respect to that list? — He looked at it, and said it was pretty correct; he was rather astonished I should have got it.

Did he admit that he had lent money to the persons mentioned in that list? — He did not immediately admit that; he said that list was pretty correct.



Did he mention any others to whom he had lent money? — He mentioned Timothy Symons, one of the aldermen.

Did you indict a certain number of the voters? — I indicted a certain number of the voters, and Sir Masseh Lopes and his agent.

Can you state how many of the voters were indicted? — I believe there were somewhere about thirty; I am not certain to the number.

Did you proceed upon all those indictments? — I did not.

Upon how many of them did you proceed? — I think we proceeded on six-and-twenty.

How many of those were convicted? — Twenty-four.

For what reason did you not proceed upon the others? — Some of the others had given me most important information, and it would have been ungenerous to have turned that to their disadvantage; as to others, I was not satisfied with the evidence.

Was there one who was acquitted on the ground that he was charged in the wrong county? — There was one Matthias Watts.

At the election did you propose to put the bribery oath to any of the voters? — I did.

Did you succeed in having it put? — The man repeated the whole of the oath, but I believe he did not undergo the ceremony of kissing the book.

What prevented his going through with it? — A very great clamour in the hall, a great deal of hissing, and an appeal from some of the gentlemen who were there, by stating that I had other means, besides making them commit the sin of perjury.

Did any person say that your life would not be safe if you proceeded to put the oath? — One man came up to the bar and stated, that he thought there would be murder before I left the town; that I should be murdered if I insisted on the oath being put; but that had no influence on me.

Was that man a voter? — He was.

Was the bribery oath never put during the election to any of the voters? — Not one of them took it.

You have stated that a considerable number of the voters were convicted at the last assizes for Devonshire and Cornwall? — They were.

Have they been brought up for judgment? — They have not.

Do you intend to bring them up for judgment? — I had intended to have brought up some that I thought were the most notorious, but the notice of the motion to take the case into the consideration of the House prevented me.

How should that operate upon your mind? — Because if

the borough was disfranchised, of course those men would be disfranchised with it.

It appears by the records that there are ten persons against whom indictments have been found, and which have not been tried; is it your intention to proceed on those indictments? — Certainly not.

You stated that some of them had given you material information, do you include in that statement Timothy Symons? — I should certainly have proceeded against Timothy Symons, if I had had sufficient evidence.

William Gowen? — He gave me particular information.

Charles Burley? — So did he.

Thomas Ham the elder? — Some reasons which influenced me not to proceed against him are, that he is a very poor man, and, I believe, a very honest man; he had borrowed the money, I believe, more for the purpose of relieving himself, than from a corrupt motive.

Thomas Ham the younger? — He gave me particular information.

Bartholomew Richards? — He is a poor man with a very large family.

John Hawkins, potter? — He is a very poor man also; he keeps a little school, and I believe poverty compelled him to do what he did: he behaved very penitently.

Thomas Nebone? — He is a mere labourer; I do not proceed against him.

David Nangarrow? — He is also a labourer.

Do you conceive, with the exception of Timothy Symons, that there was evidence sufficient? — I am not certain whether there was evidence sufficient against all of them; I rather think my solicitor thought there was not evidence sufficient against some of them.

Do you know of any sum of money being paid? — I have had my expenses paid.

By whom were those expenses paid? — I do not think I am at liberty to state.

By whom were those bills paid? — I beg to state that I have before declined to answer that question.

The witness was directed to withdraw.

The witness was again called in, and directed to answer the question.

I can hardly say whom they were paid by; the money was sent me by Mr. Dennett.

Who is Mr. Dennett? — A very respectable professional man in the city.

Did he state upon whose behalf he sent you that money? — No, he did not.

Do you not know upon whose account he sent you that money? — I believe it was on account of the sitting member.

What sum of money? — I believe my solicitor's bills were 5700*l*.

Was the money paid into your hands, or into the hands of your solicitor? — It was paid into my hands.

Then you must know the precise sum you received? — I believe I received at that time — No, I do not recollect; I think it must be 5000*l*. or 4000*l*.

Cannot you tell within 1000*l*. the sum you received? — I cannot.

*Mr. Germain Lavie*, called in; and Examined.

Were you employed professionally at the last Grampound election? — No.

How soon after the election were you concerned professionally in that business? — A considerable time.

Were you concerned prior to March last? — Yes.

For whom were you concerned? — I was concerned for the sitting member, and also for a certain part of the electors, against whom prosecutions were instituted for bribery, committed in the year 1817.

Did you enter into any agreement with Mr. Lambe respecting those indictments? — I apprehend I shall have the protection of this honourable House in answering that question professionally; but it is not my wish to avail myself of that situation, if the House will give me leave to state the circumstances which are in my power, and which are necessary to the information of the House; but in doing so, I hope I shall have the protection of the House, so far as regards myself: I think it due to the House, and to myself, to enter into some explanations upon that subject, if the House will permit me to do so to the extent that I can properly do it.

You will proceed? — I will state some facts that will put this matter straight, and render it intelligible to the House, which I apprehend it is not at present, being employed to defend these indictments, and knowing very little upon the subject, except what I could collect from very imperfect sources; I went down to Exeter for the purpose of defending one of the indictments which was laid in the county of Devon; when I arrived there I found an indictment entered for trial against Sir Masseh Lopes, one against Mr. Hunt, and the other against an elector of the name of Allen; with none of those indictments I had any concern; the fourth indictment in which I was concerned was against a person of the name of Symons; when the indictment of Sir Masseh Lopes came to be tried, I found such

an extraordinary body of evidence brought forward as let me into a case which I had not any comprehension of at all previously; supported as it was, by most extraordinary testimony, I entertained a very different opinion upon the subject of the parties I was to defend, from what I had done originally, because, though all had protested very strongly, that the loan they had received from Sir Masseh Lopes was not for electioneering purposes, it was most clearly established at the trial against Sir Masseh Lopes, that, at all events, his side of the question was for electioneering purposes; and upon the trial of Allen, Hunt's was withdrawn. Upon the trial of Allen, confessions against the man were proved, so as to establish his guilt, which, perhaps, would not have been done by any other means; notwithstanding which, when the cause against Symons was called on, they refused to pray a tales on the part of the prosecution. I had a tales warrant with me, and accordingly was capable of compelling the cause to be tried, and it was then withdrawn. I discovered afterwards that they had no evidence against this person, because he had made no confession. I believe, I then went on to Launceston, and when I arrived there, there were thirty-four or thirty-five prosecutions I had to defend; I endeavoured to make the best use of my time, to see what evidence could be brought against those poor men, and I found that the probable evidence was confession on their parts; and that there was also a cause entered for trial against Sir Masseh Lopes, in Cornwall; with some little management I continued to get Sir Masseh Lopes's cause behind mine, but I found I got very little advantage by that, for the case on the part of Sir Masseh Lopes was permitted to be gone into as fully as if it was against Sir Masseh Lopes himself; for he being charged to be the person giving the bribe, the Judge said, the case must be made out against him first, and then against the person receiving the bribe; it was a great question with me, to what extent these confessions had gone, how many of them had confessed, and though the poor people protested they had not, (I believe they were very poor,) we hardly knew what had passed; I thought it very likely that it would go very hardly against them, and that the money borrowed was to be turned against them as for electioneering purposes. I did every thing I could for them to find out their case, and to do them all the justice in my power as acting for them professionally; but it appeared to me I could do very little good, and I heard that the expenses were so very enormous; the party was open to some consideration that those expenses might be brought under view, and I thought it my duty, without any authority from any one acting professionally, as far as I considered I was doing justice to every body, to endeavour

to bring about some arrangement. I have been thirty-seven years in the profession, and I have always taken upon myself to act when I thought it for the best of my client, even without his authority in a great many instances; and on this occasion, without the authority of any one or any thing but my own notion and my own ideas upon the subject; I entered into a negotiation for the purpose of putting an end, in some way or other, to all this expense which was likely to be incurred by the parties for whom I acted; and with that view I found Mr. Lambe was accessible in that respect, that is, that he was open to a negotiation for expense; and I said if he merely wanted expense, and did not want money, I was ready to come forward to pay a moderate expense in order to get rid of all those prosecutions, and all the turmoil and trouble attending a contest, likely to incur to the parties for whom I was acting a most enormous expense; and that instead of putting the money into my own pocket, I could put it into the pocket of another, which was of very little consequence to me. I set about an arrangement which I brought to bear, that I was to pay the expenses, and every thing was to be put an end to as far as regarded the sitting members; but I could do no more for the poor people than arrange, that certain only of them, should be brought to trial; and when I made that part of the arrangement, I thought the number of confessions would be much less than they afterwards turned out to be, and it was very much to my surprise that I found they were able to go on to twenty or more, when I flattered myself there would not have been above ten implicated by confessions; and really the men who had been induced to take this money in 1817, had taken it as I conceived through distress, and without the intention to commit bribery; and were not aware, in fact of the extent to which they had done it; I did then, right or wrong, I throw myself upon the House, make an arrangement to pay the expenses; I have seen such arrangements made in all the courts of Westminster Hall for seven-and-thirty years together, and I did not know, nor do not know now, that there was any harm in it; it was a scheme of my own to get rid of a great deal of trouble; to get rid of a business which my friends were not involved in. Any members of this House might have gone down to Grampound and been brought in, and they would have been involved in this difficulty; the legal question would have remained to be decided. As far as I could look into the question, in the short time I had, it appeared to me, that votes, whomever bribed by, were bad for whoever given; that was a question of very serious importance to agitate, before the Committee of the House of Commons, would be attended with very considerable expense, and the sitting members, I conceived, had

a. majority in any way. The House may think that was one reason I should not have entered into this negotiation, but it was not for me to say that that majority would have been effective; I was convinced they had a majority, but still for the sacrifice of a small sum of money, which I considered small, for I thought the expense, upon the best of my calculation, might have cost a couple of thousand pounds; I never considered it possible to go beyond that; if I had been aware of the expense, I never would have engaged in it; but which, having engaged in it, I was bound in honour to fulfil, having made this arrangement. When the petition came on to be decided by the Committee of the House, I understood that my arrangement was all at an end, and I was fully prepared to have attended the Committee, and to have been able to substantiate the election by a majority of votes to a considerable amount; but I found when I went in to the Committee, having got counsel there, that the petition was to be abandoned, or that they were not to give evidence in support of the petition; that set me free in regard to any engagement I had made, as it was all over; but I thought, having in part brought this about, or induced this business to be suspended in the way in which it was, I was bound in honour to fulfil the engagement as soon as it was settled; and though it was fourfold more than I expected, I paid the money, and I felt bound to pay it, because I had engaged to pay it; but still there were two or three things that I was not well used in; in the first place, the number of the indictments tried was more than I expected, and the expense was so enormous that I had to pay.

Did the first article of that agreement respect the seats for Grampound, and contain a stipulation, that the petition was to be withdrawn, and not proceeded in?—It did not respect the seats. The petition was to be withdrawn, and not proceeded in.

Did the second part of that agreement contain a stipulation that a sum of money was to be paid down?—It was not an agreement in fact; it was written in a rough way.

Was it a stipulation, that a sum of money should be paid down immediately?—Yes.

What was that sum?—A thousand pounds.

What sum of money, besides that thousand pounds, have you since paid?—Six thousand seven hundred pounds.

Whom do you look to for the repayment of that 7800l.?—I look to nobody; for the two members, one of them, which is perfectly correct, says, he gave me no authority to enter into that agreement, and the other objects, but I dare say they will pay me one day or another; I believe they are very honourable

men, one is as honourable a man as any in this House of Parliament; the other I know very little of.

Have you ever received, since that time, any sum of money on account, from either of the sitting members? — No; I have not received a shilling of my own bills.

Not on account? — No; I have received nothing, not a farthing.

Do you mean to state, that you have not, since the election, received any sum of money whatever from the sitting members, or upon their account, from any other person? — I submit that I ought not to answer that question.

The witness was directed to withdraw.

The witness was again called in, and directed to answer the question.

I have received money from one of the sitting members, but without explaining on what account I received it; I asked for money, and he gave it me.

To what amount? — A considerable amount.

To what amount, as nearly as you can state? — About three weeks or a month ago, I had some; I had several thousand pounds; but I submit to the House, that that is a question I cannot properly answer.

From which of the sitting members did you receive it? — I must interpose, and say, that although I am willing to enter into any explanation that I thought the House were entitled to, I seek the protection of the House professionally; for I have received nothing from any person but in my professional character.

The witness was directed to withdraw.

The witness was again called in.

*Chairman.*] — The Committee have decided that you must answer the question put to you: at the same time, I am desirous to admonish you with respect to the manner in which you may make any observations to the Committee, that you be a little more careful in the future observations you make.

The question was proposed, "From which of the sitting members did you receive it?" — I meant no disrespect to the House in any observations I made: I desired Mr. Innes to give me some money, without assigning any particular purpose that I wanted it for, and I got some money from Mr. Innes.

To what amount? — Between seven and eight thousand pounds, at different times.

Had you demands against the honourable member upon other accounts? — Very largely: I do a great deal of business for the honourable member.

Was Mr. Innes indebted to you in the sum of seven or

eight thousand pounds on any other account besides that of the Grampound election? — I do not think he was.

*Mr. Alexander Lambe* again called in; and Examined.

It having been stated to the Committee by *Mr. Lavie*, that you were present at a meeting with him, where an agreement was entered into; was a copy of that agreement given to you? — I must decline answering the question; I cannot answer any question that tends to a breach of professional confidence, unless my clients direct me that it is for their interest I should so answer it.

The witness was directed to withdraw.

The witness was again called in.

*Chairman.*] — I am to inform you, that the clients to whom you refer have already exonerated you, and permit you to use your own discretion in answering any thing you may think proper to answer; but the question now put to you respects not them, but a fact passing between you and another person; therefore the Committee call upon you to answer that question? — I had such a copy.

What did you with it? — It is destroyed.

When did you destroy that agreement? — Perhaps ten days or a fortnight since.

*Walter Pomeroy*, called in; and Examined.

Is your name *Walter Pomeroy*? — It is.

Where do you reside? — At *St. Austel*, Cornwall.

Are you acquainted with the borough of *Grampound*? — Yes.

Have you been long acquainted with the borough? — Yes.

Did you never hear that eight thousand guineas were given to the freemen? — I never heard that eight thousand were given to the freemen upon that occasion; but upon an after-occasion money was certainly given.

State what occasion you allude to? — The election of *Andrew Cochrane Johnstone* and *George Augustus Cochrane* was declared void by the decision of a Committee of this honourable House for want of a qualification; in consequence of this a new election took place, at which election the returning officer, by an act of his own, cut off so many of the *Cochrane*-votes, that they carried their members by a majority of one; then a petition was lodged by the *Cochrane* party, complaining of an undue election; and another Committee of this honourable House decided that *Williams* and *Teed* were



not duly elected; but that George Augustus Cochrane and William Holmes, esquires, were duly elected.

Did you hear of any sum of money being given to the electors at that time? — I did.

What sum? — Something more than 80*l.* each.

Did you know any of the parties who received the 80*l.* each? — I knew them all; some are now dead.

Can you state how many there were? — Twenty-four, at least; whether there were twenty-five I am not now clear to say.

Have you been told by any of the voters that they have received sums? — Yes.

Besides those whom you mentioned before? — I can recollect one.

What was the name of that person? — Samuel Croggon.

Did Samuel Croggon say he had received a sum money? — He did receive money; he said he had received money.

To what amount? — I am not exactly positive, but it was above 100*l.*; it might be nearer 200*l.*; but the time is so distant that I cannot precisely tell.

Are you acquainted with Thomas Croggon? — I knew him well.

Did Thomas Croggon ever tell you that he had received sums of money on account of his vote at the election? — Not at that election.

Did he, on account of any other election? — I have heard him say so.

What sums did he confess to have received? — To the best of my recollection he said he had received, at the subsequent election, 100*l.*

At what election was that? — At the election of John Teed, Esq.

In what year was that election? — It was at the general election, after the election of George Augustus Cochrane and William Holmes, Esquires; I cannot recollect the year.

Was it in the year 1812? — It was about that time.

Were you told by any other of the voters that they had received money on account of that election? — I have heard it generally said, and I have heard several of the voters say, that all had received money at the election; they received money before the election, for which they gave notes of hand, but which notes of hand were never paid, and were delivered up after the election, as I have heard the people say.

You have been told so by many of the voters? — By many of the voters; it was so generally known, that I have heard them say, "we want to be Teeded again;" that is, to receive the money before-hand.

To what amount was it they received money at that time? — They did not all receive the same sum; I have heard some grumble that they had received less than others.

What was the largest sum you remember to have heard? — I have heard that one or two had received more than 100*l.*, some 100*l.*, and some below 100*l.*

Did Thomas Croggon ever tell you he was to receive 900*l.* for the election of 1808? — He did not receive the sum, but by a favour done to a friend, he certainly did receive that sum, or more.

What favour do you allude to? — It was a request made to Andrew Cochrane Johnstone to procure the promotion of a gentleman in the navy.

Was Thomas Croggon to receive any sum of money if that promotion was effected? — He was.

What sum of money was that? — I understood it was to be 1000*l.*

Have you seen Thomas Croggon since? — Yes.

Have you reason to believe that Thomas Croggon received that 1000*l.*? — I have reason to believe that the money was paid.

Were you told so by Thomas Croggon? — I have been told that the money was paid, but that a brother of his had received a small part of it.

You have stated, that you have been twice agent for candidates for the borough of Grampound, you are therefore perfectly well acquainted with the borough? — I am well acquainted with those votes, who were on that side of the question.

Were you at a meeting at St. Austel in the month of March 1808? — I was at a meeting there.

Who was present at that meeting? — Mr. Basil Cochrane.

Who else? — George Augustus Cochrane and Wm. Holmes, Esquires.

Who else? — Some of the freemen of Grampound, but I cannot exactly say who they were.

Did you attend that meeting as the agent of Mr. Basil Cochrane? — I did.

Did the voters of Grampound attend it as delegated by the majority of the voters of the borough? — I considered it so.

That was the understanding of that meeting? — It was, I believe.

What agreement was entered into at that meeting? — The agreement was, that I should speak to Mr. Basil Cochrane (for they then did expect something), and know what he was disposed to give; but that they would not wish to know the sum till after the election was ended.

Were any precise terms entered into at that meeting? — There were.

What were those terms? — 5000*l.* for the two seats.

Any money to be paid by any other person? — There were other monies to be paid by others.

What other monies were to be paid by others? — By the two members.

What other monies? — 12*l.* 10*s.* each to the wives.

Each of whom? — The wives of the freemen; but those who had no wives were to receive that sum themselves.

Do you know whether that money was or was not paid? — The 12*l.* 10*s.* was paid to all.

Was the 5000*l.* also paid? — No.

Did any dispute arise with respect to the payment of that 5000*l.*? — There did.

What was the nature of that dispute? — The ground of the objection to paying that sum was, that Mr. Cochrane had expended so much in litigation, and in trying the merits of the return in the House of Commons, that he considered that ought to go as part of the 5000*l.*

In consequence of that dispute, were any indictments for bribery prepared? — There were.

Did that settle the dispute? — It did settle it.

The parties in consequence came to terms? — They did come to terms.

Can you state what compromise they came to in consequence of that? — The compromise was, that all the freemen who had not received as much as the highest sum, should be made equal to the highest freeman.

You mentioned that Thomas Croggon received 1000*l.* for the favour that he conferred upon some gentleman for whom he got a place? — I did say so.

Do you know from whom he received that 1000*l.* — I do know from whom he received it.

Have you any objection to state from whom? — I have no objection, if I am commanded, to answer that question.

From whom? — From a gentleman of the name of Scobell.

Was that agreement, and that 1000*l.* that was paid, any part of the election concern? — Mr. Scobell had no hand in the election at all; he had nothing to do with the election; but as the favour was conferred by Mr. Thomas Croggon, he deemed it a sufficient compensation for his vote.

What had Mr. Scobell to do with the borough of Gram-pound? — He had nothing to do with it at all; but he thought he might get promotion in that way by offering a *douceur* to one of the freemen to get that promotion for him.

*Nicholas Middlecote*, called in; and Examined.

Had you not, some time previous to the last election, a meeting with Isaac Watts and Samuel Croggon on behalf of some of the voters of Grampound? — I have no objection to state that most fully, but as there is an indictment for a conspiracy against me and those persons for that, I think I am not bound to answer that question.

You three are indicted for a conspiracy, for corrupting the electors of Grampound? — Let them prove that against me if they can. \*

Where are you indicted? — Here; the indictments were found at Clerkenwell Sessions.

'You have not compromised those indictments? — I have not. \*

*Mr. Joseph Childs*, called in; and Examined.

Is your name Joseph Childs? — Yes; I am an attorney residing at Liskeard, in the County of Cornwall.

Are you acquainted with the borough of Grampound? — I have become acquainted with the borough of Grampound professionally at the last election.

You are not asked what was your conduct at the last election, but whether you have been ever told on former occasions by electors, that they expected money for the return of the borough? — I do not know that I can name any particular electors from whom I have heard that, but from having attended elections at Grampound as an advocate, of course I could not be blind to the feelings of the voters; and the conclusion in my mind, and more than the conclusion in my mind, is, that they have been constantly in the habit of expecting a sum for the seats.

Did any of the electors give you a paper purporting to be a bill to a person returned for a sum of money as due for that return? — Certainly, one of the electors did put into my hand a paper purporting to be an account current between himself and certain gentlemen, but I conceive, as I have not that gentleman's release, I am not entitled to state that. I have no objection personally.

Does that paper state a sum of money to be due to the electors for the return of the borough? — For the two seats; but I must submit to the House, whether I may not be sub-

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\* The witness has since been convicted, together with Isaac Watts and Samuel Croggon.

jected to the imputation of saying what I ought not respecting Mr. Basil Cochrane and Mr. Holmes; I have no reluctance on my own account.

Have you that account with you? — My clerk has it; under the order of the House, of course I must.

The witness was directed by the chairman to produce the account.

The witness retired to fetch the paper.

The witness was again called in;

Have you got that paper? — I have.

The witness delivered in the same, and it was read.

" Two Seats	-	£ 8400
" Allow for expenses		
" Bodmin	-	£ 2200
" Extra expences Brown		
" and Gogan	-	1000
" Received by the men		1000
		<hr/> 4200
" Due		<hr/> £ 4200

" The sum of 3600*l.* charged for the expense of the petitions, was incurred in consequence of the candidates not being qualified; therefore the electors have nothing to do with that."

What is the date of this paper? — There is no date; but it alludes to the election in 1808.

Who is the witness that can explain it? — Walter Pomeroy, the witness who has been called? — I can explain some parts of this paper; the sum of 2200*l.* allowed for expenses at Bodmin, is set down as the expenses of the criminal information prosecuted against Sir Christopher Hawkins, for criminal conduct in his office as recorder of the borough; I happened to know that, because I had the conduct of that prosecution professionally; I know that Browne and Gowen are innkeepers, and I have every reason to suppose that the thousand pounds is put down for the innkeepers' expenses: "received by the men, a thousand pounds;" I understand that meant what had been received by the voters; I do not know what voters, or in what proportions "claimed to be due, 4200*l.*," the sum of 3600*l.* charged for expenses of petitions was incurred in consequence of the candidates not being qualified; therefore, the electors contended they had nothing to do with that; a petition was lodged against Mr. Andrew Cochrane Johnstone, and Mr. George Augustus Frederick Cochrane; and therefore, the voters contended that this expense should fall upon Mr. Coch-

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